

JOSEPH P. RUSSONIELLO (CASBN 44332)  
United States Attorney

BRIAN J. STRETCH (CASBN 163973)  
Chief, Criminal Division

JOSEPH A. FAZIOLI (ILSBN 6273413)  
Assistant United States Attorney

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5061  
Facsimile: (408) 535-5081  
E-Mail: joseph.fazioli@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
BERNADETTE ESCUE,  
Defendant.

No. CR 07-00610 JF

STIPULATION AND [PROPOSED]  
ORDER RESCHEDULING SENTENCING

The sentencing of the defendant (who is out of custody) is currently scheduled for Wednesday, April 16, 2008. The United States now requests that defendant's sentencing be rescheduled to April 30, 2008. Defense counsel does not oppose this request. Undersigned government counsel has a scheduling conflict that now prevents him from attending sentencing on April 16, 2008. In addition, the parties would like additional time to resolve any potential objections to the presentence report and to make their respective sentencing recommendations. The probation officer assigned to this case, Lori Timmons, has indicated that she would be available for sentencing on April 30, 2008. It is the parties' understanding that the Court is also available on April 30, 2008.

STIPULATION AND [PROPOSED] ORDER  
CR 07-00610 JF

1 In light of the above, the parties agree, and the Court finds and holds, as follows:

- 2 1. This matter is set for sentencing on April 30, 2008, at 9:00 a.m.

3  
4 STIPULATED:

5 DATED: 03/25/08

/s/  
MARK R. VERMEULEN  
Attorney for Defendant

6  
7  
8 DATED: 3/25/08

/s/  
JOSEPH A. FAZIOLI  
Assistant United States Attorney

9  
10 IT IS SO ORDERED.

11 DATED: \_\_\_\_\_

\_\_\_\_\_  
JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE